



Memorandum

TO: Mayor and City Council
FROM: Bob Morgan, Interim City Manager
DATE: May 1, 2009
SUBJECT: IFYI

IFYI HIGHLIGHTS

- Homelessness Prevention Funding Trends
- Update on dog injury
- Federal Earmark
- Broadband Legislation
- Protest Petition

The following items are in response to questions raised during Council meetings.

Flu Update

State Health Director Reports Two Probable Cases of H1N1 Flu Virus Identified in NC

-- April 30, 2009 news release

Swine Flu / H1N1 Flu Updates - No Cases Reported in Guilford County

Guilford County Department of Public Health (GCDPH) is the main agency responsible for monitoring the situation locally. At this time, there are no reported cases of swine flu in Guilford County. Visit the Centers for Disease Control and Prevention's Web site for additional swine flu updates <http://www.cdc.gov/h1n1flu/>. For local information, call GCDPH at 641-7777.

Homelessness Prevention Funding Trends

Attached is information regarding funding trends in Greensboro as it relates to Homelessness Prevention. The Housing and Community Development Department's annual budget has decreased fairly steadily by about 40% from 2005-06. The trend in funding non-profit service agencies reflects ups and downs from year to year with a decreasing trend of about 5% from 2005-06 up to about 13% from 2007-08. Please contact Susan Crotts at 373-4671 if you have any questions.

Police Response to Dog injury

A memo regarding police contact with Mr. David Pope (owner of the dog who was injured on March 20 on Kildare Woods Drive) is attached. Please contact Chief Tim Bellamy at 373-2996 if you have any additional questions.

Federal Earmark Request

We were contacted late yesterday afternoon by Senator Kay Hagan's office regarding potential earmark funding. Her legislative staff believes there may be additional funding opportunities for Greensboro in this year's Congressional appropriations. This is an unusual opportunity for a freshman Senator but exciting for us. Her office has asked for potential projects Senator Hagan can pursue on Greensboro's behalf. Thus far, Greensboro has submitted a funding request for the War Memorial Stadium in accordance with Council's expressed interest. Attached is a listing and description of potential projects to put forward based on past Council discussions. I will request Council's direction on this item during

the Manager's time at the Council meeting Tuesday evening. Please feel free to contact me in the meantime if you have any questions at 373-2932.

Opposition of HB 1252/SB 1004, "Deny Broadband to N.C. Communities" bill

The League of Municipalities has asked for our support opposing the above referenced bill. The proposed resolution is attached. I will request Council's direction on this item during the Manager's time at the Council meeting Tuesday evening. Please contact Denise Turner if you have additional questions at 373-3880.

What the bill would do: Set significant and unfair requirements that would prohibit cities and towns from providing needed high-speed Internet and other communication services to their residents, businesses, educational and other institutions. Despite some changes to this legislation, it still would make it extremely difficult for cities and towns to receive federal stimulus funds for broadband projects because they remain subject to overly burdensome rate setting, accounting and financial restrictions which would make the broadband systems unsustainable.

Sponsors: Reps. Ty Harrell, Earl Jones, Marilyn Avila, Thom Tillis

Status: House Public Utilities Committee

Spring Garden Street/S. Elam Avenue Protest Petition

A protest petition has been received for the Spring Garden/ S. Elam rezoning request (agenda item #7) and has been determined to be valid. The listing of protesters is attached. 5% of the total area within the 100 foot buffer area was needed to qualify the petition and 22% was received. In light of the petition, a supermajority of council members present and voting will be required in order for the Spring Garden rezoning request to go forward.



Date: April 23, 2009

To: Andrew Scott, HCD Director and Acting City Manager for Economic Development

From: Susan Crotts, HCD Analyst

Subject: Homelessness Prevention Service Program Funding Trends

In response to Councilmember Perkins' request for information on funding trends to homelessness prevention service agencies over a five year period, two bar graphs are attached. The first graph reflects the amount agencies have received annually; the second reflects the Housing and Community Development Department's annual budget.

The Housing and Community Development Department's annual budget has decreased fairly steadily by about 40% from 2005-06. The trend in funding non-profit service agencies reflects ups and downs from year to year, with a decreasing trend of about 5% from 2005-06 up to about 13% from 2007-08.

The impact of an approximately 4% decrease in the Community Resource Board's recommended Housing and CD budget amounts to decreases of \$281 for the smallest grant and \$2,201 for the largest grant that may be awarded through the annual budget. The homelessness prevention service non-profit agencies funding reflected in these charts does not include the Interactive Resource Center (IRC) and future homeless day center, which Council has funded outside of the annual budget process. The IRC currently has City funded allocations totaling \$45,000 for shelter operation for use while the permanent facility and program are developed.

Two additional homelessness prevention funding options will be presented to City Council over May and June. The Community Resource Board is also recommending in the Department's proposed budget to City Council, that the Housing and CD Department offer a new HOME housing voucher program to help prevent homelessness. These funds are not eligible for use in shelter operations or emergency assistance, but will enable people who are homeless or at risk of homelessness to maintain or secure stable housing with \$200,000 of tenant based rental assistance. This program will be managed by the Greensboro Housing Authority.

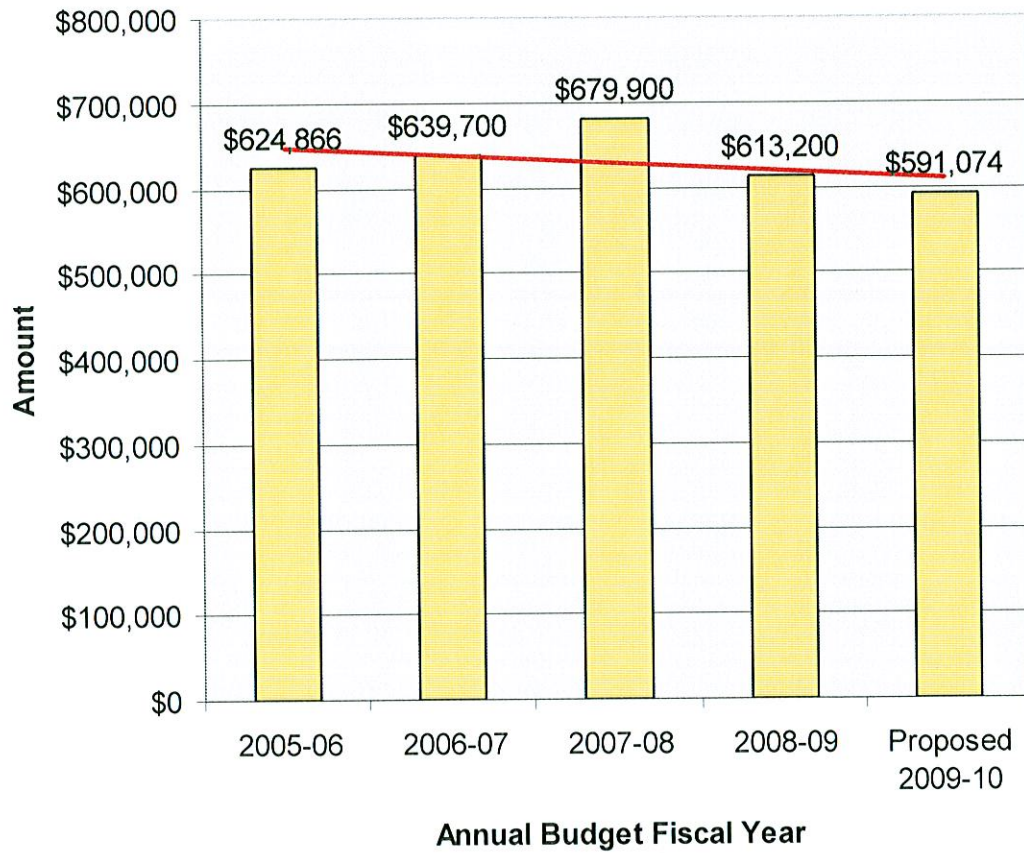
The process for application to the Department of Housing and Urban Development for federal stimulus funds for the new Homelessness Prevention-Rapid Rehousing Program (HPRP) is currently underway. Public comment began at the April 16th Community Resource Board public hearing and will conclude at the May 5th City Council public hearing. If Greensboro elects to apply for these funds, we can receive a \$781,141 allocation for a three-year period. These funds would increase our homelessness prevention service program funds by approximately \$260,000 annually.

Please let me know if I may provide any additional information.

**HCD Annual Budget Trend
2005-06 through Proposed 2009-10**



**Homelessness Prevention Service
Non-profit Agency Funding**





City of Greensboro POLICE

Date: April 23, 2009

To: Chief of Police T. R. Bellamy

From: Commanding Officer, Patrol Bureau, Southern Division

Subject: REPORT ON CONTACT WITH MR. DAVID POPE

The purpose of this memo is to advise you of contact made with Mr. David Pope of 1911 Kildare Woods Drive Greensboro, NC whose dog was injured following the discharge of a firearm by Officer C.R. Blake (Southern/Squad F) on March 20, 2009.

Mr. David Pope attended and spoke at a recent meeting of the Greensboro City Council, indicating he had not been properly contacted by members of the Greensboro Police Department concerning the injury of his dog.

On April 9, 2009, I contacted and spoke with Mr. Pope by telephone concerning this matter. Mr. Pope was very appreciative of my telephone call and we had a very positive conversation. I advised Mr. Pope that I, as well as the members involved, were sorry that his dog had been injured in this event however due to the complaint he had filed against the officer, as well as the administrative investigation that was already underway due to the discharge of a police weapon (*in a non-training setting*), it would have been improper for me to contact him (*as he was a witness and complainant*) in this matter until after I had reviewed and ruled on all the investigations. He stated that he completely understood.

I reminded Mr. Pope that Officer Blake's supervisor, Corporal S.A. Hussey, had spoke with him personally when he (Corporal Hussey) responded to the Carolina Veterinarian Clinic on the date of the incident, to check on the condition of his dog. He stated that he recalled meeting Corporal Hussey that day and speaking with him.

I also reminded him that Sergeant Szymeczek had contacted him on March 27, 2009 to further discuss this incident, and that during both conversations he had been made aware of the administrative process that would take place, as well as how to file a claim with the City requesting reimbursement for expenses incurred in this matter. He stated that he recalled speaking with Sergeant Szymeczek and added that he was provided with the appropriate information on how to file a claim requesting to recover expenses.

Greensboro Police Department
300 W. Washington Street • Greensboro, NC 27402
T. R. Bellamy, Chief of Police



City of Greensboro POLICE

Mr. Pope further stated that he really was not upset with the Police Department, but rather with the fact that he had problems communicating with our insurance advisor; Sterling Insurance. He stated that since he spoke with Council, he had made contact with Sterling Insurance and was now satisfied with how they were pursuing his claim.

I advised him that the Police Department had no decision authority in payment to citizen's claims for reimbursement and he stated he understood.

I concluded our conversation by advising him that I had completed my review of both the administrative Discharge of Firearm Report and the complaint he had filed against Officer Blake, and that he should receive a letter from me shortly with the findings of that review. He thanked me for calling and for the service law enforcement provides, and stated he just wished that the entire event had not happened. I provided him my contact numbers (office and cell) and asked him to feel free to contact me anytime in the future if he has questions or needed any further assistance.

Sincerely,

Captain Christopher Walker
Commanding Officer
Southern Division

Potential Items for Federal Appropriations

GREENSBORO COLISEUM SEATING

Greensboro Coliseum remains the last major indoor entertainment facility in the region not to have cushioned seating for patrons who attend events at the facility. Cushioned seating is a necessity to patrons who attend events for more than a few hours including all day basketball tournaments and conventions. To remain competitive in attracting new major events and to attract consumers to attend those events which include the ACC Tournament, NCAA Tournament, and other major national events, the Coliseum needs to replace its near 20 year old plastic seats with modern cushioned seating. The budget price is:

Phase I: 4,500 portable seats x \$100	\$450,000
10,000 Permanent Seats x \$225	\$2,250,000
Phase II: includes 11,000 Upper level seats x \$225	\$2,475,000
TOTAL SEATING PROJECT:	\$5,175,000

WAR MEMORIAL AUDITORIUM

War Memorial Auditorium was constructed in 1959 and has been the premiere facility in the area for hosting both community, regional and national artistic, theatrical and symphonic events in the Piedmont Triad region. Despite its advanced age, the Auditorium still hosts nearly 140 annual events and is the Coliseum Complex's most actively booked venue. However, complaints continue to mount due to the lack of patron amenities, parking issues, poor acoustics and sightlines and a noticeable lack of accommodations for the disabled. It is the largest theater in the region seating 2,454 and it serves all facets of the community including school groups, community plays, symphonic events, operas, ballets, national touring Broadway plays, comedians, and concerts, etc. The facility continues to age beyond normal maintenance budgets can handle and is nearing the end of its life without a major renovation.

The proposed redevelopment of Greensboro's War Memorial Auditorium will restore the facility as a premiere Performing Arts Center comparable to similar venues built in other communities at two to three times the estimated cost of this project. The proposed reinvestment in one of our community's greatest assets will ensure that future generations of Greensboro citizens will have the opportunity to enjoy a wide variety of theatrical, cultural and musical entertainment in a state of the art Performing Arts Center. Price tags vary based on construction costs and have ranged from \$35,000,000 to \$50,000,000 based on various design concepts.

RENOVATION & REPLACEMENT: War Memorial Auditorium	\$35,000,000
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ACC HALL OF CHAMPIONS

The Atlantic Coast Conference was formed in Greensboro, NC and continues to maintain its headquarters in Greensboro, the heart of the conference. The Coliseum has hosted more than 21 ACC Men's Tournaments, more than any other venue and 10 ACC

Women's Basketball Tournaments and has a natural connection to the Conference. Some of the greatest games in the history of the ACC were played in Greensboro Coliseum. The project coincides with the City of Greensboro's desire to make improvements to High Point Road creating an Entertainment district and revitalizing the corridor with new, more modern development. The City has bonds approved for \$7.5m in streetscape along the corridor and has recently invested \$5m in acquiring land and buildings in the area. One significant tourist attraction that would connect the entertainment district is construction of The ACC Hall of Champions. This museum attraction would create both a regional destination attraction driving tourism dollars but would also create a location where children can learn about the history of the ACC and the institutions within the State. This project will serve to further cement the home of the ACC in North Carolina, creating more desire to host ACC Tournaments in the state (in lieu of going outside the State) and will create community pride in the area.

CONSTRUCTION AND EXHIBITS: ACC Hall of Champions \$20,000,000

War Memorial Stadium -- \$8,247,000

The requested funds would allow the community to continue to provide a living memorial to the veterans of World War I by revitalizing the Greensboro War Memorial Stadium and adjacent park which would provide a premier venue for amateur baseball, a City Market, community gatherings and events such as NCA&T Homecoming Celebration. The project would also provide a link between the Aycock Neighborhood, and NCA&T State University's Campus. These improvements would work in conjunction with the City's existing Farmer's Market (Curb Market) creating an economic stimulus to the Summit Avenue Corridor and revitalizing a segment of downtown.

Renovating the War Memorial Stadium will enhance the quality of life of a developing diverse community. The proposed changes will also serve as a source of increased revenue, an economic stimulus for an important economic corridor and further connect the community to one of our Historically Black Colleges and Universities.

GTA BUS OPERATIONS/MAINTENANCE FACILITY-- \$8,046,400

There is a great need for a new maintenance, operations and administration transit facility as part of Greensboro Transit Authority's successful operations. A new facility will replace an existing bus operations and maintenance facility that was constructed in 1969 that no longer meets GTA's needs. The development of a new transit facility would significantly enhance the GTA's service delivery efficiency and the quality of transit services to the over 300,000 current and future transit riders in the Greensboro community. In addition, GTA's current maintenance facility is inadequate to meet the growing needs of its operations and poses a safety hazard to our employees, as evidenced by the volume of accidents that take place in the current bus parking facility.

The importance and commitment to this project has already been demonstrated by previous sources of funding acquired thus far:

FY 2008 - FTA Section 5307 - \$2,010,794

FY 2009 – FTA Section 5340 - \$5,455,967

FY 2009 Earmark (Congressman Coble) - \$1,140,000

Hybrid Buses -- \$14,280,000

The Greensboro Transit Authority (GTA) plans to incorporate alternative fuel or low emissions into its current vehicle fleet. The Hybrid Electric Vehicle (HEV) has been proven to be one of the most viable advanced vehicles that reduce vehicle emissions, increase efficiency, enhance performance, reduce fuel use, quiet operation and has the potential for lower maintenance costs. In addition, HEVs are an attractive option for deploying clean buses utilizing existing fueling infrastructure. Beginning in 2010, GTA plans to initiate an alternative fuel or low emissions vehicle procurement strategy that replaces (20) old diesel buses with Hybrid Electric Vehicles. The requested funds would allow the GTA to initiate a replacement schedule that will replace old diesel transit buses with Hybrid Electric Vehicles.

Police Firing Range -- \$2,300,000

The Greensboro Police Department is currently phasing out the use of its Police Firing Range located on Air Harbor Road due to the many complaints generated by the noise levels produced at this location effecting the many subdivisions in the area. The department, along with other city departments, has researched possible locations that would allow this type of activity and also be acceptable to the surrounding community. The facility would consist of different types of ranges that would provide adequate space to fire both handguns and rifles/shotguns and allow for specialized instruction all at the same time. The facility would also provide classroom/instructor areas, gun cleaning areas, secured areas to store equipment and parking areas.

Vehicle Storage Facility -- \$1,950,000

The various special teams (Special Response Team, Hostage Negotiations Team, Underwater Recovery Team, and the Hazardous Devises Team) and the Special Operations Division currently have several vehicles and trailers that are very expensive to purchase and several containing equipment that is heat sensitive. All of the vehicles have significant life spans (approximately 25 years for some), However if they are left outdoors, exposed to the environment, those life spans are significantly reduced, some by as much as 10 years. The maintenance of stored equipment is also imperiled by exposure to extreme hot and cold temperatures. Funding is needed to construct a facility to house these vehicles on a parcel of land already owned by the City on the Maple Street beside the current Police Substation. This would allow for proper maintenance of the vehicles and associated equipment, thereby reducing the need to purchase replacement equipment on an as frequent basis, resulting in a significant cost savings for tax payers.

TZ Osborne Waste Water Treatment Plant -- \$27,820,000

New Fluid-Bed Incinerator

The City disposes of its wastewater sludge primarily by incineration. The existing unit is reaching the end of its design life resulting in the need for replacement and expansion. The ductwork, refractory, and heat exchanger are requiring continual repair and patchwork that indicates potential complete failure that would result in the need to landfill sludge on a continuous basis. Short term hauling in the past has cost as much as \$250,000 for a two week shutdown, with attendant odor and transport problems.

Downtown Greenway -- \$12,000,000

The Downtown Greenway is a 4.8 mile long trail for pedestrians and cyclists to loop around the central business district of Greensboro, linking many neighborhoods and promoting health lifestyles.

Construction on the first phase of the Downtown Greenway commenced on Monday, March 9th, 2009. Construction of the entire 4.8-mile loop is expected to take 5-10 years.

The Downtown Greenway will be funded as a public-private partnership from a wide variety of sources.

Public Funding -- \$7,060,000

- N.C. Health & Wellness Trust Fund, Fit Community Grant \$60,000 for construction expenses for Phase One.
- Local Obligation Bond \$7,000,000

Private Funding -- \$5,660,000

- Cemala Foundation - \$1.5 million
- Joseph M. Bryan Foundation - \$1.5 million
- Moses Cone Wesley Long Community Health Foundation - \$1.5 million
- Weaver Foundation - \$1 million
- Tannenbaum – Sternberger Foundation - \$100,000
- The Greensboro Bicentennial Commission - \$60,000

**RESOLUTION OF THE CITY OF GREENSBORO OPPOSING SB 1004/HB 1252,
INACCURATELY CAPTIONED "THE LEVEL PLAYING FIELD ACT"**

WHEREAS, Senate Bill 1004 and House Bill 1252, both captioned *The Level Playing Field Act*, have been introduced in the 2009 Session of the General Assembly of North Carolina, and referred to the Senate Commerce Committee and House Committee on Science and Technology, respectively; and

WHEREAS, broadband is communications infrastructure that is as important to the City of Greensboro's economy as are the interstate and state road systems; and

WHEREAS, high-speed broadband is an indispensable part of competition both between businesses and between global, state and local jurisdictions to attract businesses; and

WHEREAS, high-speed broadband is vital to the future economic development, educational outreach, and community growth necessary to replace lost textile, tobacco, furniture and manufacturing jobs in Greensboro and in North Carolina; and

WHEREAS, cities are organized to provide public services in the local community and their governing boards generally decide what and what level of services the city will provide; and

WHEREAS, the courts in North Carolina have already determined that local governments are authorized by the General Assembly to provide the communications services addressed in the playing field bills; and

WHEREAS, if the City of Greensboro should at any time in the future decide that it needs to provide or encourage the development of broadband communications systems to meet unmet needs, these proposed bills would greatly hinder the City's ability to provide such needed services, especially advanced high-speed broadband services; and

WHEREAS, the bills do not in actuality require a "level playing field" with regard to provision of broadband and information services but instead seek to saddle cities and towns with several onerous duties, proscriptions and mandates that do not apply to private providers and that cities have never had to meet with respect to other enterprise businesses; and

WHEREAS, there is no justification for treating public communications enterprises differently from other public enterprises that are essential for a sound economy; and

WHEREAS, government dollars were used to fund much of the current corporate telecommunications infrastructure in the United States and to develop the Internet; and

WHEREAS, private providers have made the business decision not to provide and offer broadband to residents and businesses in North Carolina at the high speeds that are readily available in competing locations such as Poland, Canada, South Korea, Japan, and Wilson, North Carolina, despite having received favorable regulatory and tax treatment from government to enable them to make upgrades and investment to broadband; and

WHEREAS, while private broadband providers declare that it is cost prohibitive to provide top quality service in the United States, Japan and other countries (many of which traditionally have been considered to be third world nations) continue to outpace our country in broadband access, cost, and growth in the number of users—Japan has lower cost internet access that is at least 500 times faster than what is defined as high-speed in the United States; and

WHEREAS, the United States Congress has provided funds in the American Recovery and Reinvestment Act (federal stimulus) to reverse our country's broadband decline by making local and state governments, directly eligible for \$4.7 billion in federal grants to provide affordable access to high capacity broadband services where needed; and

WHEREAS, because the proposed playing field bills would prohibit government from using funds other than those generated by the enterprise broadband communications systems themselves, NORTH CAROLINA AND ITS POLITICAL SUBDIVISIONS WOULD NOT BE ABLE TO USE THE BILLIONS OF FEDERAL STIMULUS GRANT FUNDS SET ASIDE FOR BROADBAND INFRASTRUCTURE IMPROVEMENTS, while cities in other states would have access to these funds and gain a competitive economic advantage over North Carolina cities—job opportunities for local residents would be negatively impacted by the funding restrictions in the proposed bills; and

WHEREAS, local businesses and suppliers will create jobs and spur the local economy with federal stimulus dollars used to build and improve broadband infrastructure, but will lose such opportunities if the legislature adopts the proposed bills depriving North Carolina of the opportunity to bring broadband stimulus dollars to our economy; and

WHEREAS, the bills are counter to the North Carolina Local Development Act of 1925 which allows local governments to aid and encourage economic development in communities throughout North Carolina.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GREENSBORO opposes Senate Bill 1004 and House Bill 1252 and urges all members of the North Carolina General Assembly to vote "no" in committee and, if necessary, on the floor of the General Assembly.

By _____ Attest _____